

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:23-cr-00008-MR-WCM**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
BRANDON KEITH HARDY,)	
)	
Defendant.)	
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THIS MATTER is before the Court on the “Victim Impact Statement Request Dismissal of Case with Prejudice” filed by Gail Hardy on behalf of the Defendant Brandon Keith Hardy. [Doc. 48].


The Defendant was found guilty by a jury of one count of transporting child pornography, one count of distributing child pornography, and one count of making a notice seeking a minor to participate in creating child pornography, in violation of 18 U.S.C. §§ 2252A and 2251(d). [Doc. 38]. He is currently awaiting sentencing.

The present letter was filed by Gail Hardy, the Defendant's mother.¹ In her letter, Ms. Hardy makes several legal arguments in advocating for the dismissal of the criminal prosecution against her son. [Doc. 48]. Ms. Hardy, however, is not an attorney at law. As a third party, she is not permitted to sign and file motions on the Defendant's behalf. Further, the unauthorized practice of law in the State of North Carolina is a criminal offense. See N.C. Gen. Stat. §§ 84-4, 84-8. Accordingly, the letter filed by Ms. Hardy [Doc. 48] will be stricken from the record.

IT IS, THEREFORE, ORDERED that the "Victim Impact Statement Request Dismissal of Case with Prejudice" filed by Gail Hardy [Doc. 48] is **STRICKEN** from the record.

IT IS SO ORDERED.

Signed: January 13, 2025



Martin Reidinger
Chief United States District Judge



¹ Ms. Hardy previously filed a letter in support regarding sentencing. [Doc. 47]. While that letter contained inappropriate legal arguments, the letter also included information that is appropriate for the Court to consider from a layperson. As such, the Court did not strike Ms. Hardy's previous letter.